

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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| ----- | x | |
| KOBAYASHI VENTURES, LLC, | : | 08 CIV. 04450 (LAP) |
| | : | |
| Plaintiff, | : | |
| | : | |
| -against- | : | <i>Document Filed Electronically</i> |
| | : | |
| PAPERTECH INC., | : | |
| | : | |
| Defendant. | : | |
| ----- | x | |

**DECLARATION OF OREN J. WARSHAVSKY, ESQ. IN SUPPORT OF
PT PAPERTECH, INC.'S MOTION TO DISMISS FOR FAILURE TO STATE A
CLAIM PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 12(B)(6), AND
IN THE ALTERNATIVE FOR SUMMARY JUDGMENT UNDER FEDERAL RULE
OF CIVIL PROCEDURE 56**

I, Oren J. Warshavsky, Esq., of full age, hereby declare as follows:

1. I am a member of the law firm of Baker & Hostetler LLP, counsel for Defendant PT Papertech, Inc. (hereinafter "Papertech") in connection with the above-referenced matter.

2. I submit this Declaration in support of Papertech's Motion To Dismiss For Failure to State a Claim Pursuant To Federal Rule Of Civil Procedure 12(B)(6), and in the Alternative for Summary Judgment Under Federal Rule of Civil Procedure 56.

3. Attached hereto as Exhibit A is a true and correct copy of a September 27, 2000 letter from Kari Hilden of Papertech to Richard Piela of Champion International Corporation, which was also attached as Exhibit 6 to Plaintiff's Complaint in this matter.

Pursuant to 28 U.S.C. § 1746, I hereby declare that the foregoing statements made by me are true and correct.

Dated: July 14, 2008
New York, New York

By: s/ Oren J. Warshavsky
Oren J. Warshavsky, Esq. (OW 9469)

EXHIBIT A

Date: 27 September, 2000

Champion International Corp. (International Paper Co.)
1 CHAMPION Plaza
Stamford, CT
06921 USA

Attention: Mr. Richard Piela, Director, Capital Project, Support and MRO

Subject: Termination of the License Agreement between Champion International Corp. ("Champion") and PT Papertech Inc. ("Papertech")

Dear Mr. Piela,

This is to officially advise you that we wish to terminate our subject agreement, dated November 12th, 1998 with Champion International Corp. as per the agreement Article 16. As stated in Clause 16.3 this termination will go in effect 30 days following your receipt of this notice.

We believe you are in breach of the agreement. We have not received satisfactory responses to our many issues that govern the agreement including how our agreement compares with your other licensees. You have not met the obligations of your agreement and left us no choice but to terminate it.

It is unfortunate that we have come to this decision, but hope you understand our reasons for doing this.

Sincerely,



Karl Hilden (Mr.)
General Manager
Papertech Inc.